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**From:** Sakamoto, Glenn [Sakamoto.Glenn@epa.gov]  
**Sent:** 7/7/2014 5:48:12 PM  
**To:** Karlson, Kristine [Karlson.Kristine@epa.gov]  
**Subject:** RE: mtg followup - draft inspection report for RB1 dairies  
**Attachments:** Armstrong narrative.docx

Hi Kristine – Good draft....only a few comments noted.

Glenn

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**From:** Karlson, Kristine  
**Sent:** Thursday, July 03, 2014 3:57 PM  
**To:** Mitschele, Becky; Sakamoto, Glenn  
**Subject:** RE: mtg followup - draft inspection report for RB1 dairies

Thanks for meeting with me and for the follow-up, Becky! I've got a draft narrative for you here, in case you have time to look it over. I'm hoping to get it to the water board on Monday (COB). Will you be in and have any time to review it before I send it out?

Glenn – I know you're gone for the day already – hope you had a Happy Fourth! I would greatly appreciate a peer review of this Monday, if you have time as well. FYI, I've filled out a 3560-3 form and have a photo log to go with the narrative. If you want to see the photo log let me know. Last item I need (will do on Monday) is a marked-up aerial showing the overall layout and discharge point.

Thanks,  
Kristine

Kristine Karlson  
(415) 947-4297

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**From:** Mitschele, Becky  
**Sent:** Tuesday, July 01, 2014 5:04 PM  
**To:** Karlson, Kristine  
**Cc:** Sakamoto, Glenn  
**Subject:** mtg followup - draft inspection report for RB1 dairies

Hi Kristine,

I am glad Glen/John encouraged you to speak with me. As we discussed, attached is a draft inspection report from the April inspections of dairies in RB.

We need confirmation on some key details from the state. We also are awaiting pictures from the state, but you can see how I laid out the descriptions for each part of the facility. Let me know if you want me to describe RB 9's permit program (like I did for RB1). It's not a problem for me to do as I will learn that way how RB9 implements their program.

A key sentence that might be helpful is:

~ Since the permittee does not have an NPDES permit, no discharge is authorized from the production area, including overflows from a 25-year, 24-hour storm event.

Or you can use something like the following:

~ An owner or operator of an unpermitted CAFO is not authorized to discharge pollutants to waters of the U.S.

~ A discharge from a land application area under the control of a CAFO that is not agricultural stormwater or an irrigation return flow is a discharge subject to NPDES permit requirements.

~Because any unauthorized discharge from a CAFO to waters of the U.S. is a violation of the CWA, a CAFO must be authorized by an NPDES permit at the time of the discharge.

Note that I used "the permittee" language, in the first example, since I described the "waiver" as a "waiver permit" in the inspection report. I used this terminology so that people understand that the waiver requires the facility to do certain things (like a permit). Hope this helps!!!

I would be happy to review whatever language you want to include/draft for the inspection report for the RB9's egg layer facility.

I also am looking into a contact at the Irrigation District for you (emailing Valentina as Jamie didn't know ☺). In the event that you have to return to the facility, I would encourage a quick call with Ashley Toy in EPA Region 3 Enforcement as she is very familiar with both egg layers and poultry facilities.

Thanks,  
Becky Mitschele

On detail to R9 NPDES Permits Office  
(415) 972 - 3492

U.S. EPA, Office of Wastewater Management  
(202) 564 - 6418